

## **PLANNING COMMISSION MINUTES**

**April 20, 2010**

**7:00 pm**

Present: Chairman Clark Jenkins, Vice Chairman Tom Smith, Michael Allen, Barbara Holt, Ray Keller, City Council Representative Beth Holbrook, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Absent: City Attorney Russell Mahan, and Dave Badham.

Chairman Clark Jenkins welcomed all those present and gave a special welcome to the Boy Scouts.

Tom Smith made a motion to approve the minutes for April 6, 2010 as amended. Beth Holbrook seconded the motion and voting was unanimous in favor.

### **1. Consider amended site plan approval for Silver Creek Commercial Development and Techna Glass located at 400 N. 500 W., Jeremy Terry, applicant.**

Jeremy Terry, applicant, was present. Eldon Haacke, representing Techna Glass, was also present.

Aric Jensen explained that the Techna Glass site is a subset of the Silver Creek Commercial development. Approximately 2 months ago the Techna Glass site plan was approved by the Planning Commission and City Council. The approval included a realignment of the driveway that connects the Silver Creek development to 400 North. For some reason, the Techna Glass staff did not communicate with the Silver Creek staff that the driveway was being realigned. As a result, the shared pole sign for all tenants of the Silver Creek development was constructed in the path of the realigned driveway. The approvals to relocate the driveway have not been obtained from either UDOT or Moyle Petroleum (owner of the adjacent property that shares the driveway).

The developer of Silver Creek has requested that the Planning Commission consider amending its previous recommendation regarding the realigned driveway, and reverting to the original meandering driveway alignment originally approved as part of the Silver Creek Commercial site plan.

Mr. Jensen continued saying that Staff met with the development team from both parties several weeks ago and reviewed the issues. Staff's opinion is unchanged, which is to say that both Paul Rowland and Mr. Jensen believe that the realigned driveway is superior to the original design. Mr. Jensen referred to an excerpt from a previous staff report explaining the position of the City staff which is as follows:

In working with the applicants, Staff has identified and addressed two significant issues that the Commission should be aware of. First, the main access road,

which circulates through the Silver Creek development, runs through the west side of this property. As it approaches 400 North, it intersects with the driveway coming out of Common Cents, and the two driveways merge and share a common drive approach onto 400 North. As currently configured in the Silver Creek approved site plan, the two drive approaches essentially funnel into one another, which was acceptable based on the layout anticipated in that plan. After reviewing the proposed Techna Glass plan, the City Engineer and Planning Director both felt that a more traditional 90 degree intersection between the Common Cents driveway and the Silver Creek driveway was safer. The reasoning will be more specifically explained at the meeting, but in brief, Techna Glass will circulate vehicles on its site in a clockwise pattern. Vehicles will enter into the doors on the east, and exit from the doors on the west. This creates the potential of blocking vehicles entering off of 400 North, and backing vehicles up across the sidewalk and into the vehicle travel lanes of 400 North. The proposed driveway configuration, plus an additional 5' building setback (from 20' to 25'), will help to improve this situation. The one downside is that this will require UDOT approval, however, Staff does not believe this to be a major concern since the proposal is to move the existing access an additional 15' away from the 400 North/500 West intersection.

Staff recommends denial of the proposed site plan amendment on the basis that the realigned (straight) driveway configuration is superior to the original meandering configuration, for the reasons stated in the staff report.

Jeremy Terry, applicant, explained that changing the driveway will not only be a big expense to all those involved but will also move the access to Common Cents, which they are not excited to do. Mr. Terry stated that there was some miscommunication between the seller and the buyer about the driveway. Mr. Terry feels that there is no reason to remove what has already been done.

Eldon Haacke, representing Techna Glass, explained that it has been determined that it will cost \$15,000.00 to straighten the road, which is the developer's responsibility. There are no approvals from UDOT or Moyle Petroleum, which will have to be obtained if the driveway is to be straightened. There was a previous approval from the Planning Commission and City Council for the meandering driveway. Mr. Haacke feels that there will be less of a traffic impact onto 400 North with Techna Glass than with the previously proposed user Atlantis Burgers. Requiring the change would cause a huge expense for the developers that could be avoided.

Paul Rowland explained that anytime a driveway is pulled away from a major intersection UDOT usually will approve. Moving the driveway is safer for traffic circulation for all businesses on this site.

Mr. Jensen stated that reverting back to the original driveway configuration will make it more difficult for semi-trucks to leave the site and get back onto I-15 southbound.

Nate Lechtenberg, representing the contractor, gave the following reasons that would cause a financial hardship to the developer:

1. Making the change to the driveway will not justify the financial hardship that it will cause to the developer.
2. It will take months to get approval from UDOT and Moyle Petroleum.
3. Moving the sign will be an extra expense.
4. Moving a Bountiful City street light will be an added expense.

Mr. Lechtenberg feels that requiring relocation of the driveway does not justify the huge financial hardship that it will be on all those involved.

There was a lengthy discussion regarding the pros and cons for reverting back to the original driveway configuration.

Tom Smith made a motion to recommend to the City Council approval of the amended site plan for Silver Creek and Techna Glass, located at 400 N. 500 W., which would allow the driveway to be constructed in the configuration shown on the approved Silver Creek Commercial site plan. Barbara Holt seconded the motion and voting was unanimous in favor.

## **2. Planning Director's report and miscellaneous business.**

Aric Jensen presented a Davis County Transportation Survey to the Commission. Mr. Jensen explained that the County Council of Governments has created a list of transportation projects and would like the City Officials and City Staff to rank the projects in terms of importance. The Commissioners were asked to fill out the survey and return them to Staff.

Meeting was adjourned at 7:45 pm